



Southern Grampians
SHIRE COUNCIL

Council Meeting Agenda

Council Meeting
9 November 2022

To be held in Nareen Mechanics Hall,
Nareen, at 5:30pm.

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1. Membership

Councillors

Cr David Robertson, Mayor
Cr Helen Henry, Deputy Mayor
Cr Mary-Ann Brown
Cr Albert Calvano
Cr Bruach Colliton
Cr Greg McAdam
Cr Katrina Rainsford

Officers

Mr Tony Doyle, Chief Executive Officer
Ms Kevin Leddin, Acting Director Community and Corporate Services
Ms Marg Scanlon, Director Infrastructure
Mr Belinda Johnson, Acting Director Planning and Development

2. Welcome and Acknowledgement of Country

The Mayor, Cr Robertson will read the acknowledgement of country:

“Our meeting is being held on the traditional lands of the Gunditjmarra, Tjap Wurrung and Bunganditj people.

I would like to pay my respects to their Elders, past and present, and the Elders from other communities who may be here today.”

Please note: All Council meetings will be audio recorded, and may be livestreamed to Council’s social media platform, with the exception of matters identified as confidential items in the Agenda.

By participating in open Council meetings, individuals consent to the use and disclosure of the information they share at the meeting (including any personal and/or sensitive information).

Other than an official Council recording, no video or audio recording of proceedings of Council Meetings will be allowed without the permission of Council.

3. Prayer

Cr Brown will lead the meeting in a prayer.

”Almighty god, we humbly beseech thee to vouchsafe thy blessing upon this council.

Direct and prosper its deliberations to the advancement of thy glory and the true welfare of the people of the Southern Grampians shire.”

4. Apologies

5. Confirmation of Minutes

RECOMMENDATION

That the Minutes of the Council Meeting held on 12 October 2022 be confirmed as a correct record of business transacted.

That the Minutes of the Statutory Meeting held on 26 October 2022 be confirmed as a correct record of business transacted.

6. Declaration of Interest

7. Questions on Notice

Questions from the public must be submitted prior to the commencement of Council Meetings.

All questions must be submitted through completion of the Public Question Time form, and be forwarded to the Chief Executive Officer at 111 Brown Street, Hamilton. All questions must be received by no later than 5pm on the Monday before the Council Meeting.

Questions must:

1. Not pre-empt debate on any matter listed on the agenda of the Council Meeting at which the question is asked
2. Not refer to matters designated as confidential under the *Local Government Act 2020*.
3. Be clear and unambiguous and not contain argument on the subject.
4. Not be derogatory, defamatory or embarrassing to any Councillor, member of staff, ratepayer or member of the public, nor relate to a matter beyond the power of Council.

If the member of the public is in attendance at the Council Meeting the Mayor will read the question aloud and provide a response. If a question cannot be answered at the meeting, a written response will be prepared and forwarded to the person raising the question.

Residents do not need to attend the meeting for a question to be answered. If they do not attend the meeting a written response will be provided.

There are no Questions on Notice listed on tonight's agenda.

8. Public Deputations

Requests to make a Public Deputation to Council must be submitted prior to the commencement of the Council Meeting.

Anyone wishing to make a deputation to Council must complete the Request to Make a Deputation form and forward it to the Chief Executive Officer at 111 Brown Street, Hamilton by no later than 5pm on the Monday before the Council Meeting.

Speaking time is limited to 3 minutes per person. Organisations may be represented at the deputation to Council by not more than 4 representatives. The names of the representatives to attend must be advised in writing to the Chief Executive Officer and 1 of the representatives to attend must be nominated as the principal spokesperson for the deputation.

Deputations wishing to make a written submission to the Council must a copy either electronically or hard copy of the submission to the Chief Executive Officer prior to the Council Meeting. One copy will be made available to the local media representative, if requested.

All members of the public addressing the Council must extend due courtesy and respect to the Council and the processes under which it operates. If a member of the public fails to do this the Chairperson can remove them from the Chambers. All members of the public must also comply with Council's Council Meetings policy in relation to meeting procedures and public participation at meetings.

There are no Public Deputations listed on tonight's agenda.

9. Informal Meetings of Councillors

The Southern Grampians Shire Council Governance Rules require that records of Informal Meetings of Councillors that meet the following criteria:

If there is a meeting of Councillors that:

- a) took place for the purpose of discussing the business of Council or briefing Councillors;
- b) is attended by at least one member of Council staff; and
- c) is not a Council meeting, Delegated Committee meeting or Community Asset Committee meeting;

be tabled at the next convenient Council meeting and recorded in the minutes of that Council meeting.

An Informal Meeting of Councillors record was kept for:

- Briefing Session - 12 October 2022
- Briefing Session - 19 October 2022
- Briefing Session - 26 October 2022

This agenda was prepared on 2 November 2022. Any Informal Meeting of Councillors between that date and the date of tonight's Meeting will appear in the agenda for the next Ordinary Meeting of Council.

Southern Grampians Shire Council

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	12 October 2022
Location:	Virtual Via Teams
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Kevin Leddin, Acting Director Community and Corporate Services Marg Scanlon, Director Infrastructure Belinda Johnson, Acting Director Planning and Development Daryl Adamson, Manager Shire Strategy and Regulation Jason Barker, Local Laws Team Leader

The Informal Meeting commenced at 2:30pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor Only Meeting	Nil
2	Matters Raised by Councillors	Nil
3	Community Local Law	Nil
4	Hamilton Showgrounds Update	Nil
5	Waste Briefing	Nil

The Informal Meeting concluded at 5:00pm.

Southern Grampians Shire Council

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	19 October 2022
Location:	MJ Hynes
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam Cr Katrina Rainsford
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Kevin Leddin, Acting Director Community and Corporate Services Marg Scanlon, Director Infrastructure Belinda Johnson, Acting Director Planning and Development Daryl Adamson, Manager Shire Strategy and Regulation Anita Collingwood, Statutory Planner
External Presenters:	Peter Williams

The Informal Meeting commenced at 1:30pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	New Hamilton Gallery Feasibility Study	Nil
2	TP/136/2021 Mt Baimbridge Road Hamilton	Cr Henry declared a Conflict of Interest
3	Community Asset Committees Annual Reports	Nil
4	Committee Representatives and Proposed Council Meeting Dates	Nil

The Informal Meeting concluded at 4:00pm.

Southern Grampians Shire Council

Informal Meeting of Councillors

ASSEMBLY DETAILS	
Title:	Briefing Session
Date:	26 October 2022
Location:	MJ Hynes
Councillors in Attendance:	Cr Bruach Colliton, Mayor Cr David Robertson, Deputy Mayor Cr Mary-Ann Brown Cr Albert Calvano Cr Helen Henry Cr Greg McAdam
Council Staff in Attendance:	Tony Doyle, Chief Executive Officer Marg Scanlon, Director Infrastructure
External Presenters:	Ben Shoo, Patrick McNulty, Peter Kirkpatrick

The Informal Meeting commenced at 12:00pm.

MATTERS CONSIDERED		CONFLICTS OF INTEREST DECLARED
1	Councillor Only Meeting	Nil
2	Matters Raised by Councillors	Nil
3	Quarterly Annual Report	Nil
4	Hamilton CBD Vision	Nil
5	HRLX Strategic Plan	Nil
6	Lake Edge Briefing	Nil

The Informal Meeting concluded at 5:00pm.

10. Management Reports

10.1 Audit and Risk Committee – Review of Independent Members Fees

Directorate: Kevin Leddin, Acting Director Community and Corporate Services
Author: Kevin Leddin, Acting Director Community and Corporate Services
Attachments: Nil

Executive Summary

From time to time it is pertinent to review the fees paid to the independent members who sit on Council's Audit and Risk Committee to ensure the fees reflect market rates.

This report reviews the level of fees compared to industry standards and recommends an increase in the level of fees paid to the three independent committee members.

Discussion

In accordance with best practice and the Committee Charter, membership of Council's Audit and Risk Committee consists of three independent members (one fulfilling the role of Chair) and two councillors.

The Charter also stipulates: *"Remuneration paid to independent members will be a set fee per meeting with an additional amount paid to the Chairperson.*

Travelling costs will also be reimbursed".

A benchmarking exercise with thirteen other rural councils has revealed that fees range from \$300.00 to \$1,815.00 per meeting with five of the councils also paying travel expenses.

The most common fee range for members was between \$500.00 - \$700.00 and for the Chair it was between \$700.00 and \$1,000.00.

The majority of councils also pay a higher fee to the Committee Chair.

At present the Member and Chair's fee at Southern Grampians Shire Council is set at \$300.00 per meeting. Travel expenses are also paid.

Council will shortly be undertaking an expression of interest process to fill two independent members vacancies which fall due early in 2023. It is therefore timely to review the fees paid and ensure that council is best placed to attract the best possible candidates for the vacant upcoming positions.

Based on the review of fees paid it is suggested that Council increase the fees for the independent members on its Audit and Risk Committee as follows :

- Chair \$ 750.00 per meeting plus travel
- Independent Members \$ 600.00 per meeting plus travel

The new fees would apply from the next meeting of the Committee.

Financial and Resource Implications

The fees and travel expenses paid to the Audit and Risk Committee members is included in the annual budget which will be adjusted for the increase in fees.

Legislation, Council Plan and Policy Impacts

The Audit and Risk Committee is a requirement under Section 53 of the *Local Government Act 2020*, whilst Section 54 requires the Committee to have a Charter.

Risk Management

The Audit and Risk Committee Charter provides that the Committee has an overview role on the financial risk, organisational risk and compliance elements of Council's operations.

Environmental and Sustainability Considerations

The primary objective of the Audit and Risk Committee is to assist Council in the effective conduct of its responsibilities for financial reporting, management of risk, maintaining a reliable system of internal controls and compliance and facilitating the organisation's governance development.

In achieving its primary objective, the Committee in turn ensures that Council achieves its social, economic and environmental objectives in a fair, transparent and open manner.

Community Consultation and Communication

Consultation with other Council's took place to benchmark the fees.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no direct or indirect interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That Council increase the fees paid to the independent members of the Audit and Risk Committee as follows:

- Chair \$ 750.00 per meeting plus travel
- Independent Members \$ 600.00 per meeting plus travel

with the new fees to apply from the next meeting of the Audit and Risk Committee.

10.2 Community Asset Committees Annual Reports 2022

Directorate:	Kevin Leddin, Acting Director Community and Corporate Services
Author:	Tania Quinn, Acting Governance Coordinator
Attachments:	Annual Report – Cavendish Soldiers Memorial Hall Committee Annual Report – Coleraine Mechanics Institute Hall Committee Annual Report – Coleraine Sporting Grounds Committee Annual Report – Konongwootong Hall Committee Annual Report – Nareen Hall Committee

Executive Summary

It is a requirement under Section 47(6) of the *Local Government Act 2020* (the Act) that the Chief Executive Officer submit an annual report to the Council in relation to the activities and performance of a Community Asset Committee in respect of which the members have been given a delegation.

Discussion

In accordance with Section 47(6) of the Act, the following Community Asset Committee Annual Reports are being tabled for 2022:

- Cavendish Soldiers Memorial Hall Committee
- Coleraine Mechanics Institute Hall Committee
- Coleraine Sporting Grounds Committee
- Konongwootong Hall Committee
- Nareen Hall Committee

The Carapook Hall Committee are also a Community Asset Committee with a delegation issued under section 47, but failed to provide an annual report or any sufficient information regarding its activities and performance that could be used to compile an annual report on the Committee's behalf. A letter will be prepared outlining non-compliance to the Committee.

All other Committees will receive a letter confirming tabling of their annual reports.

Legislation, Council Plan and Policy Impacts

Community Asset Committee's are established under Section 65 of the Act and operate under a delegation issued by the Chief Executive Officer under Section 47 of the Act, which includes the requirements to table an annual report to the Council in respect of the Committee's performance and activities.

Community Asset Committee's have legislated governance and compliance objectives, as well as requirements issued to them through their Terms of Reference and Instrument of Delegation.

Consultation

Council's Governance Coordinator liaised with the Committee contacts in relation to the requirement to table an annual report, this included letters, emails and phone calls.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no general or material interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That Council:

1. Table the 2022 Annual Reports for the following Committees:
 - a) Cavendish Soldiers Memorial Hall Committee
 - b) Coleraine Mechanics Institute Hall Committee
 - c) Coleraine Sporting Grounds Committee
 - d) Konongwootong Hall Committee
 - e) Nareen Hall Committee
2. Note that letters will be sent to the above-mentioned Committees thanking them for their assistance in preparing the 2022 Annual Reports; and
3. Note that a letter of non-compliance will be issued to the Carapook Hall Committee.

10.3 S65 Community Asset Committee – Minutes

Directorate: Kevin Leddin, Acting Director Community and Corporate Services
Author: Tania Quinn, Acting Governance Coordinator
Attachments: Cavendish Memorial Hall Committee Minutes, May 2022; Coleraine Sporting Grounds Committee Minutes, September 2021 – June 2022; Coleraine Mechanics Hall Committee Minutes, June 2022

Executive Summary

In accordance with Council's Governance Rules and section 47(4)(b) of the Act, approved minutes of Community Asset Committees are to be reported to Council Meetings to ensure governance requirements and appropriate standards of probity are being met.

Discussion

The following minutes of the Community Asset Committee meetings are attached to this report:

- Coleraine Sporting Grounds Committee, September 2021 – June 2022
- Cavendish Memorial Hamill Committee, May 2022
- Coleraine Mechanics Hall Committee, June 2022

The minutes have been confirmed at each preceding meeting and forwarded through to Council's Governance Coordinator for reporting to the next available Council Meeting.

Financial and Resource Implications

Not applicable.

Legislation, Council Plan and Policy Impacts

Community Asset Committees are established under Section 65 of the Local Government Act and operate under a s47 Delegation issued by the Chief Executive Officer and are bound by Council's Governance Rules and the Committee Terms of Reference.

Risk Management

Regular reporting of the Committee Meeting Minutes ensure governance requirements and appropriate standards of probity are being met.

Environmental and Sustainability Considerations

There are no environmental or sustainability considerations in relation to this report.

Community Engagement and Communication

Not applicable.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no general or material interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That Council note the Minutes from the following Community Asset Committees;

1. Coleraine Sporting Grounds Committee;
2. Cavendish Memorial Hall Committee; and
3. Coleraine Mechanics Hall Committee.

10.4 Annual Plan Quarterly Report

Directorate:	Kevin Leddin, Acting Director Community and Corporate Services
Author:	Kevin Leddin, Acting Director Community and Corporate Services
Attachments:	Action and Task Progress Report 1 July – 30 September 2022

Executive Summary

The Action and Task Progress Report for the period 1 July to 30 September 2022 has been prepared to provide information regarding the performance of the organisation against the Annual Plan.

Discussion

The Annual Plan is developed each year to assist in the delivery of the Council Plan objectives and to demonstrate to the community the key projects to be delivered that year. The Annual Plan sets out the specific actions and includes a detailed list of Council's activities and initiatives for the upcoming financial year. These initiatives are projects that are undertaken over and above normal service delivery and are intended to attain important outcomes for Council and the community.

Reports on the progress of the Annual Plan are reported to Council quarterly. This allows Council to receive timely, relevant and measurable information about how the organisation is performing. This in turn allows Council an opportunity to raise concerns about performance in a timely manner. The Annual Plan reporting will also help formulate the Annual Report and support the reporting against the Council Plan each year.

There are currently 52 actions reported on from the Annual Plan and Council Plan. Of these 52 actions:

- 38 actions (73%) are on track - at least 90% of the target achieved;
- 1 action (2%) require monitoring –between 70% and 90% of the target achieved;
- 9 actions (17%) are off track – less than 70% of target achieved; and
- 4 actions (8%) have no target set

Details about the specific performance of the Annual Plan actions is detailed in the attached Action and Task Progress Report.

Legislation, Council Plan and Policy Impacts

Council is required to adopt a Council Plan in accordance with section 90 of the *Local Government Act 2020* and subsequently determine whether any adjustments are required.

This Plan is supported by the development of an Annual Plan which details the actions that will be undertaken to achieve the strategic objectives in the Council Plan.

Reporting on the Annual Plan is to be presented to Council quarterly so that Council can regularly monitor the performance of the organisation.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no general or material interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That Council receive the Action and Task Progress Report for 1 July – 30 September 2022.

10.5 Hamilton Showgrounds Advisory Committee Membership Approval

Directorate: Kevin Leddin, Acting Director Community and Corporate Services
Author: Susannah Milne, Manager Community & Leisure Services
Attachments: None

Executive Summary

At its Ordinary Meeting on the 13 April 2022 Council resolved to establish a Hamilton Showgrounds Advisory Committee to provide strategic advice on the development and implementation of the Hamilton Showgrounds Master Plan and identify strategic priorities for the showgrounds.

The Advisory Committee membership was to be representative of the current User Groups who are based at the site and broader skills-based Community membership. To support the formation of the Advisory Committee, an expression of interest process was conducted.

The purpose of this report is to provide Council with the outcomes from this process and recommend the appointment of individuals to the Hamilton Showgrounds Advisory Committee.

Discussion

The Hamilton Showgrounds is located on Crown Land of which Council has been appointed the Committee of Management (COM). As the COM, Council is responsible to manage, improve, maintain, and control the site on behalf of the Department of Environment Land Water and Planning (DELWP). Council is required to:

1. Act within best interests to achieve public benefit from Crown Land,
2. Manage potential risks,
3. Manage conflicts of interest and duty,
4. Manage relationships with key stakeholders who use and access the land.

The Council acknowledges the importance of this site as a community, economic and tourism driver for the Southern Grampians Community and as such are seeking to form an Advisory Committee that would provide strategic advice to Council to help:

- Inform the development and implementation of the Hamilton Showgrounds Master Plan, and
- Provide strategic advice to Council on priorities for the showgrounds.

It is noted that the Committee has no decision-making powers with respect to the showgrounds but will report any recommendations and information that it considers important to Council. Recommendations presented to Council will be decided by the majority of the Committee.

Through the development of the Terms of Reference Council have identified that the membership of the Advisory Committee will be made up of:

- 2 elected Councillors.
- 3 User group representatives.
- 3 Community Representatives.

Membership will be for a maximum of two years; members may seek reappointment at the conclusion of their term. Elected User Group representatives are requested to nominate a deputy who can attend the meeting if the appointed member is unable to attend. Community Representatives are not permitted to nominate a Deputy for this purpose.

Following the expression of interest process for membership to the Advisory Committee, the following submissions were received:

User Group Representation

Hamilton SES

Representative: Tim Fry Deputy Representative: John McKenzie

Hamilton Pastoral and Agricultural Society

Representative: Will Kinghorn (Chair) Deputy Representative: Emmelie Nijskens
(Business/Events Manager).

Hamilton Brass Band

Representative: Colin Thompson

Lions Club of Hamilton

Representative: Francis Pekin Deputy Representative: Kevin Buck

Hamilton Pastoral and Agricultural Society – 2nd submission

Representative: Tim Hutton

Community Group Representation

Kevin Safe, former Hamilton municipality involvement.

Lyll Grey, Marly Media. Former director of communications at the VFF, and Community Engagement and Marketing Manager at the Glenelg Hopkins CMA

The review of the nominations was conducted and was based on:

- Balance representation,
- Skills and experience,
- Broad community impact and connection of nominees.

The recommended User Group nominees are:

1. Hamilton SES
Representative: Tim Fry Deputy Representative: John McKenzie
2. Hamilton Pastoral and Agricultural Society
Representative: Will Kinghorn (Chair) Deputy Representative: Emmelie Nijskens
(Business/Events Manager).
3. Lions Club of Hamilton
Representative: Francis Pekin Deputy Representative: Kevin Buck

Recommended Community Representatives are:

1. Kevin Safe
2. Lyall Grey

It is noted that the Terms of Reference proposes that further promotion of the Community Representative vacancies be promoted with the intention to fill the third vacancy.

Council resolved at the 13 April 2022 Ordinary Meeting that Councillors David Robertson and Katrina Rainsford are the Councillor representatives on the Advisory Committee.

Financial and Resource Implication

The establishment and ongoing support to the Advisory Committee will be an additional financial and resource implication to Council's Operating budget which has not been budgeted for and is estimated at approximately \$3,500 per annum.

Legislation, Council Plan and Policy Impacts

The development of the Hamilton Showgrounds Advisory Committee is consistent with the following Council Plan 2021-2025 priorities:

Key Priority 1 – Support our Community

1.1.3 Provide opportunities for increases community engagement and participation in Council decision making and activities.

Key Priority 2 – Grow our Regional Economy

2.4.1 Support and promote a collaborative approach to marketing and investment.

Key Priority 3 – Maintain and Renew our Infrastructure

3.1.2 – Maintain infrastructure to the agreed standard and ensure the principles of sustainability and universal design are considered in the planning and development of infrastructure to support community access and connection meeting the needs of the community.

Risk Management

The Terms of Reference clearly articulate the purpose of an Advisory Committee is that they provide strategic advice to Council through a reporting process and that they have no authority to make decisions or enter into contracts on behalf of Council.

Environmental and Sustainability Considerations

The Advisory Committee will be encouraged to operate on a paperless basis and will be encouraged to consider environmental and sustainability improvements to the development of the master plan.

Disclosure of Interests

All Council Officers involved in the development and advice provided in this Report affirm that no general or material interests need to be declared in relation to any matters in this Report.

RECOMMENDATION

That Council:

1. Note the nominations received in response to the call for nominations to the Hamilton Showgrounds Advisory Committee and appoint the following User Group Representatives to the Advisory Committee:
 - Hamilton SES – Representative -Tim Fry and Deputy Representative – John McKenzie,
 - The Hamilton Pastoral and Agricultural Society – Representative – Will Kinghorn and Deputy Representative - Emmelie Nijskens, and
 - Hamilton Lions Club – Representative - Francis Pekin and Deputy Representative - Kevin Buck.
2. Note the nominations received in response to the call for nominations to the Hamilton Showgrounds Advisory Committee and appoint the following Community Representatives to the Advisory Committee:
 - Kevin Safe,
 - Lyall Grey.
3. Continue to further promote the remaining Community Representative vacant position with the intention to fill this role and receive a further report on recommended nominations.

11. Notices of Motion

There are no Notices of Motion listed on tonight's agenda.

12. Delegated Reports

Reports on external Committees and Representative Bodies for which Councillors have been appointed as a representative by Council.

13. Mayors and Councillors Reports

Address from the Mayor and Councillors in relation to matters of civic leadership and community representation, including acknowledgement of community groups and individuals, information arising from internal Committees, advocacy on behalf of constituents and other topics of significance.

14. Confidential Matters

RECOMMENDATION

That the following items be considered in Closed Council as specified in section 66(2)(a) and referenced in section 3(1), Confidential Information (a) Council business information, being information that would prejudice the Council's position in commercial negotiations if prematurely released as per the Local Government Act 2020.

14.1 Confidential

14.2 Confidential

15. Close of Meeting

This concludes the business of the meeting.